

Appl. No. 09/965,998
Amdt. dated August 27, 2004
Reply to Office action of July 1, 2004

REMARKS/ARGUMENTS

Receipt of the Office action dated July 1, 2004 is hereby acknowledged. In that action the Examiner: 1) objected to claims 3, 8, 13, 15, 21 and 29 for various informalities; 2) rejected claims 1, 4 and 17 as allegedly obvious over Alcorn (U.S. Pat. No. 6,106,396) in view of Castor (U.S. Pat. No. 5,590,288); 3) rejected claims 5-6 and 18 as allegedly obvious over Alcorn and Castor in further view of Madden (U.S. Pat. No. 6,178,503); 4) rejected claims 9-11 and 13 as allegedly obvious over Bates (U.S. Pat. No. 6,367,074) in view of Alcorn and Castor; 5) rejected claims 12 and 14-16 as allegedly obvious over Bates, Alcorn and Castor in further view of Madden; 6) rejected claims 19 and 27 as allegedly obvious over Madden in view of Castor; 7) rejected claims 20 and 28 as allegedly obvious over Madden and Castor in further view of Bates; 8) rejected claims 21 and 29 as allegedly obvious over Bates, Madden and Castor in further view of Puckette (U.S. Pat. No. 6,385,721); 9) rejected claim 22 as allegedly obvious over Bates in view of Kricheff (U.S. Pat. No. 6,324,627); and 10) indicated that claims 2-3, 7-8, and 23-26 would be allowable if rewritten in independent form to include the limitations of the base claims and any intervening claims.

With this Response, Applicants amend claims 1-3, 5-9, 11-18, 21-26 and 29, and cancel claim 22. Reconsideration is respectfully requested.

I. CLAIM INFORMALITIES

The Office action dated July 1, 2004 objects to claims 3, 8, 13, 15, 21 and 29 for various informalities. With this Response, Applicants amend these claims to address the Examiner's concerns, and not to define over any related art.

II. EFFECTIVELY ALLOWED CLAIMS

The Office action dated July 1, 2004 objections to claims 2-3, 7-8, and 23-26 as dependent upon rejected base claims, but allowable if rewritten in independent form. With this Response, Applicants amend claims 2 and 7 to be in independent form, including the limitations of the base claims and any intervening claims. Likewise, Applicants amend claims 23 and 24 to be in independent form. Claims 2, 7, 23 and 24 already contained the limitations of the amendments by virtue of their previous dependency. In rewriting claims 23 and 24, Applicants

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remove limitations not required to distinguish over the cited art (multiple bus bridges and multiple expansion buses), and also remove the "adapted to" terminology to ensure that the remaining wording is considered a positive recitation of the claim. Applicants also remove the "adapted to" terminology from claims 25 and 26. Applicants respectfully submit that these amendments do not affect the allowability of the claims.

Thus, claims 2-3, 7-8 and 23-26 should be in a condition for allowance.

III. AMENDMENTS TO THE SPECIFICATION

With this response, Applicants amend the specification in several respects. Paragraph [0001] is amended to note the specifics of the related case.

Paragraph [0003] is amended to avoid an interpretation that all the various aspects of the disclosure may be required in any one claim. Paragraph [0003] is also amended to correct a grammatical deficiency.

Paragraph [0023] is amended to avoid any interpretation as to what one of ordinary skill in the art may have known prior to the benefit of reading the Applicants' disclosure.

Paragraph [0024] is amended to make consistent the verb tense within the paragraph.

Paragraph [0029] is amended to remove extraneous language, and to avoid any interpretation as to the skill needed to perform the recited function.

Paragraph [0030] is amended to avoid any interpretation as to what one of ordinary skill in the art may have known prior to the benefit of reading the Applicants' disclosure.

Paragraph [0036] is amended to avoid an interpretation that all the various aspects of the disclosure may be required in any one claim, and to remove extraneous language.

Paragraph [0037] is amended to avoid any interpretation as to the skill needed to perform the recited function.

Paragraph [0041] is amended to remove extraneous language, and to avoid any interpretation as to what one of ordinary skill in the art may have known prior to the benefit of reading the Applicants' disclosure.

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Paragraph [0042] is amended to avoid any interpretation as to what one of ordinary skill in the art may have known prior to the benefit of reading the Applicants' disclosure.

Paragraph [0046] is amended to avoid any interpretation as to what one of ordinary skill in the art may have known prior to the benefit of reading the Applicants' disclosure.

The Abstract is amended to avoid an interpretation that all of the various aspects described may be required in any one claim.

Applicants respectfully submit that no new matter is added by these amendments.

IV. CLAIM REJECTIONS

A. Claim 1

Claim 1 stands rejected as allegedly obvious over Alcorn in view of Castor. Applicants amend claim 1 to make more clear that the operating system drivers are for two different types of operating systems to more clearly define over Alcorn.

Alcorn appears to be directed to an electronic casino gaming system with improved play capacity, authentication and security. (Alcorn Title). While Alcorn discloses a ROM 30 containing "system drivers" and a ROM 52 containing "OS drivers," (Alcorn Col. 7, lines 29-30; Col. 9, lines 42-43), these "system drivers" and "OS drivers" appear to be applicable only for the particular, installed operating system.

After the BIOS has completed the initialization, it jumps to the boot strap code in ROM 252 causing the boot strap to copy the OS, OS drivers, and the secure loader into the RAM.

(Alcorn Col. 9, lines 52-55). Castor appears to be directed to a distributed data processing system. (Castor Title). While Castor may disclose a virtual disk system, it is a remote virtual disk system where the actual data resides on a remote file server. (Castor Col. 13, lines 33-53).

Claim 1, by contrast, specifically recites, "storing operating system drivers for at least two different types of operating systems on a read only memory (ROM) within the computer system; and copying at least one of the

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operating system drivers from a virtual disk drive of the computer system during the operating system installation." Alcorn taken with Castor fails in several respects to teach or render obvious the limitations of claim 1. First, Alcorn and Castor fail to teach storing operating system drivers for at least two different types of operating systems. Further, Alcorn and Castor fail to teach copying at least one of the operating system drivers ("the operating system drivers" referring to the operating system drivers on the ROM) from a virtual disk drive of the computer system during the operating system installation. In Castor, the operating system drivers originate on the remote system in disk drive 46. (Castor Col. 13, lines 44-53).

Based on the foregoing, Applicants respectfully submit that claim 1 is not rendered unpatentable by Alcorn and Castor, and should be allowed together with all claims which depend from claim 1 (claims 4-6).

B. Claim 9

Claim 9 stands rejected as allegedly obvious over Bates, Castor and Alcorn. Applicants amend claim 9 to make more clear that the operating system drivers are made available during installation of the operating system onto the machine, as opposed booting of an operating system previous installed. This amendment finds support throughout the context of the specification, and in particular in Figure 5 and paragraph [0035].

Bates appears to be directed to a computer system selectably bootable with two different operating environments. (Bates Abstract). Castor appears to be directed to a distributed data processing system. (Castor Title). While Castor may disclose a virtual disk system, it is a remote virtual disk system where the actual data resides on a remote file server. (Castor Col. 13, lines 33-53). Neither Bates, nor Alcorn, nor Castor, standing alone or taken together, appear to be concerned with initial installation of an operating system.

Claim 9, by contrast, specifically recites, "wherein the computer system makes the operating system drivers appear to reside on a virtual floppy drive for copying during installation of an operating system for the computer system, and wherein the computer system loads the operating system drivers during

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booting of the operating from locations other than the ROM." Bates taken with Alcorn and Castor fail to teach or fairly suggest how to handle operating system drivers as between installation of the operating system and loading of the operating system after installation, and thus cannot render obvious the limitations of claim 9.

Based on the foregoing, Applicants respectfully submit that claim 9 is not rendered unpatentable by Bates, Alcorn and Castor, and should be allowed together with all claims which depend from claim 9 (claims 10-12). Applicants amend claims 11 and 12 to remove the "adapted to" terminology. Further, Applicants amend claim 12 to make consistent the "installation" terminology with claim 9.

C. Claim 13

Claim 13 stands rejected as allegedly obvious over Bates, Alcorn and Castor. Applicants amend claim 13 to remove much of the terminology from the preamble, and to make more clear that the operating system drivers are made available during installation of the operating system onto the machine, as opposed booting of an operating system previously installed. This amendment finds support throughout the context of the specification, and in particular in Figure 5 and paragraph [0035].

Bates appears to be directed to a computer system selectively bootable with two different operating environments. (Bates Abstract). Castor appears to be directed to a distributed data processing system. (Castor Title). While Castor may disclose a virtual disk system, it is a remote virtual disk system where the actual data resides on a remote file server. (Castor Col. 13, lines 33-53). Neither Bates, nor Alcorn, nor Castor, standing alone or taken together, appear to be concerned with initial installation of an operating system.

Claim 13, by contrast, specifically recited, "making available during the installation of the operating system the operating system drivers stored on the ROM appropriate for the operating system type to be installed; installing the operating system; copying at the appropriate time during the installation of the operating system at least one of the operating system drivers from a virtual floppy

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drive; and then booting the installed operating system." Bates taken with Alcorn and Castor fail to teach or fairly suggest how to handle operating system drivers as between installation of the operating system and loading of the operating system after installation, and thus cannot render obvious the limitations of claim 13.

Based on the foregoing, Applicants respectfully submit that claim 13 is not rendered unpatentable by Bates, Alcorn and Castor, and should be allowed together with all claims which depend from claim 13 (claims 14-16). Applicants amend the preambles of claims 14-16 to match that of claim 13.

D. Claim 17

Claim 17 stands rejected as allegedly obvious over Alcorn in view of Castor. Applicants amend claim 17 to make more clear that the BIOS shows the set of hardware drivers as files on a virtual disk drive to more clearly define over the remote virtual disk drive of Castor. Further, Applicants amend claim 17 to remove the "adapted to" terminology.

Claim 17, specifically recites a ROM comprising, "a basic input output system (BIOS) program; a set of hardware drivers; and wherein the BIOS program, when executed by a microprocessor, makes the set of hardware drivers available for copying during installation of an operating system **by showing the hardware drivers on the ROM as files on a virtual disk drive.**" Alcorn taken with Castor fail to teach or fairly suggest that a BIOS should show hardware drivers on a ROM as files on a virtual disk drive.

Based on the foregoing, Applicants respectfully submit that claim 17 is not rendered unpatentable by Alcorn and Castor, and should be allowed together with claim 18, which depends from claim 17. Applicants amend claim 18 to remove the "adapted to" terminology.

E. Claim 19

Claim 19 stands rejected as allegedly obvious over Madden in view of Castor.

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Madden appears to be directed to managing multiple operating systems on a single computer. (Madden Title). The Madden disclosure appears to be concerned with boot-time problems, not installation considerations.

The invention addresses the management of multiple operating systems on a single computer and other boot-time problems.

(Madden Abstract). Castor appears to be directed to a distributed data processing system. (Castor Title). While Castor may disclose a virtual disk system, it is a remote virtual disk system where the actual data resides on a remote file server. (Castor Col. 13, lines 33-53).

Claim 19, by contrast, specifically recites, "storing a first set of operating system drivers operable with a first operating system in a read only memory (ROM) of the computer system; storing a second set of operating system drivers operable with a second operating system in the ROM; and copying at least one of the operating system drivers from a virtual disk drive of the computer system during the operating system installation." Madden and Castor fail to teach copying at least one of the operating system drivers ("the operating system drivers" referring to the operating system drivers on the ROM) from a virtual disk drive of the computer system during the operating system installation. In Castor, the operating system drivers originate on the remote system in disk drive 46. (Castor Col. 13, lines 44-53). Further, neither Madden nor Castor teach or fairly suggest methods pertaining to installation considerations, and thus cannot render obvious the limitations of claim 19.

Based on the foregoing, Applicants respectfully submit that claim 19 is not rendered unpatentable by Madden and Castor, and should be allowed together with claims 20 and 21, which depend from claim 19.

F. Claim 27

Claim 27 stands rejected as allegedly obvious over Madden and Castor.

Madden appears to be directed to managing multiple operating systems on a single computer. (Madden Title). The Madden disclosure appears to be concerned with boot-time problems, not installation considerations. (Madden Abstract). Castor appears to be directed to a distributed data processing system.

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(Castor Title). While Castor may disclose a virtual disk system, it is a remote virtual disk system where the actual data resides on a remote file server. (Castor Col. 13, lines 33-53).

Claim 27, by contrast, specifically recites, "storing a first floppy image having a first set of operating system drivers operable with a first operating system, the first floppy image stored in a read only memory (ROM) of the computer system; storing a second floppy image having a second set of operating system drivers operable with a second operating system, the second floppy image stored in the ROM; and providing one of the first and second floppy images as a virtual floppy drive during the operating system installation." Neither Madden nor Castor teach or fairly suggest methods pertaining to installation considerations, as opposed to loading of previously installed operating systems, and thus cannot render obvious the limitations of claim 27.

Based on the foregoing, Applicants respectfully submit that claim 27 is not rendered unpatentable by Madden and Castor, and should be allowed together with claims 28 and 29, which depend from claim 27.

V. CLAIM CANCELLATION

With this Response, Applicants cancel claim 22. This cancellation is without prejudice to later asserting the claim, such as in a continuation application.

VI. "FINDINGS" OF THE OFFICE ACTION

The Office action dated July 1, 2004 presents a plurality of "findings" with regard to teachings of the related art. To the extent necessary to keep these "findings" from becoming conclusive, Applicants traverse each and every finding.

Applicants specifically traverse any "findings" regarding Castor that imply Castor may be directed to installation of operating systems (as opposed to booting of a previously installed operating system).

Applicants specifically traverse any "findings" regarding Alcorn that imply Alcorn may be directed to installation of operating systems (as opposed to booting of previously installed operating system). Applicants further traverse any

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"findings" that may imply Alcorn contemplates storing operating system drivers for at least two different types of operating systems.

Applicants specifically traverse any "findings" regarding Bates that imply Bates may be directed to installation of operating systems (as opposed to booting of a previously installed operating system).

Applicants specifically traverse any "findings" regarding Madden that imply Madden may be directed to installation of operating systems (as opposed to booting of a previously installed operating system).

VII. CONCLUSION

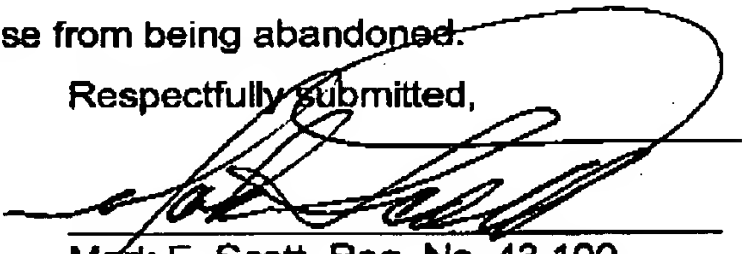
Applicants respectfully request reconsideration and allowance of the pending claims. If the Examiner feels that a telephone conference would expedite the resolution of this case, he is respectfully requested to contact the undersigned.

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request that a timely Notice of Allowance be issued in this case. If any fees or time extensions are inadvertently omitted or if any fees have been overpaid, please appropriately charge or credit those fees to Hewlett-Packard Company Deposit Account Number 08-2025 and enter any time extension(s) necessary to prevent this case from being abandoned.

Respectfully submitted,

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